

REMARKS

Claims 1-22 were pending, examined, and rejected in this Application. Claims 1, 2, and 13 have been amended. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1-2, 4-8, 12-13, 15-17, 19, and 21-22 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 6,510,411 issued to Lewis M. Norton et al. (“*Norton*”).

With respect to Claim 1, Applicants have made a clarifying amendment not affecting the scope of the claimed subject matter to address a potential ambiguity in the claim as previously presented. Claim 1 as previously presented arguably did not unambiguously recite a relationship between the services/products referred to in the first and second claim elements and the how-to-use instructions recited in the third element. Specifically, Claim 1 as previously presented referred to “grouping services/products into categories” in the first claim element and “instructions about how to use a particular service or product” in the third claim element. As a formal matter, Claim 1 as previously presented thus did not expressly recite a relationship between the “services/products” referred to in the first element and the HTU instructions recited in the third element. The amendment eliminates this potential ambiguity by reciting an antecedent relationship between the HTU instructions recited in the third claim element and services/products referred to in the first and second claim elements. Applicants submit that this amendment was not made for any purpose related to patentability, but merely to clarify a relationship among the services/products referred to in each of the claim elements.

Claim 1 as amended is patentable over the cited reference because Norton does not teach expressly how to use instructions including how to use associated services/products. Norton’s how to use instructions are concerned with how to use Norton’s GUI. As the Examiner correctly notes in the Office Action, Norton’s how to use instructions instruct a user how to use the

described interface to order a product such as a sandwich or an airline flight. In contrast, Claim 1 as amended recites HTU instructions that instruct a user how to use or operate services or products offered by Applicant's interface, thus providing voice message-based operating manuals for the products/services offered. Claim 1 as amended is patentable over Norton because Norton does not teach or suggest, for example, incorporating instructions regarding how to use a sandwich or how to use an airline flight. Because the cited reference does not teach expressly or inherently all elements of Claim 1 as amended, Applicants respectfully request the Examiner to reconsider and withdraw the rejection.

With respect to Claim 2, Applicants have made a clarifying amendment not affecting the scope of the claimed subject matter to address a potential ambiguity in the claim as previously presented. Claim 2 as previously presented arguably did not unambiguously recite a relationship between the services/products referred to in the first and second claim elements and the how-to-use instructions recited in the third element. Specifically, Claim 2 as previously presented referred to "grouping services/products into categories" in the first claim element and "instructions about how to use a particular service or product" in the third claim element. As a formal matter, Claim 2 as previously presented thus did not expressly recite a relationship between the "services/products" referred to in the first element and the HTU instructions referred to in the third element. The amendment eliminates this potential ambiguity by reciting an antecedent relationship between the HTU instructions recited in the third claim element and services/products referred to in the first and second claim elements. Applicants submit that this amendment was not made for any purpose related to patentability, but merely to clarify a relationship among the services/products referred to in each of the claim elements.

Claim 2 as amended is patentable over the cited reference because Norton does not teach HTU instructions describing how to use associated services/products. Norton's how to use instructions are concerned with how to use Norton's GUI. Again, Norton's how to use instructions instruct a user how to use Norton's interface to order a product such as a sandwich or an airline flight. In contrast, Claim 2 as amended recites how to use instructions that instruct a user how to use or operate services or products offered by Applicant's interface, thus providing

voice message based operating manuals for the products/services offered. Because the cited reference does not teach expressly or inherently all elements of Claim 2 as amended, Applicants respectfully request the Examiner to reconsider and withdraw the anticipation rejection of Claim 2 and dependent Claims 4-8 and 12).

With respect to Claim 13, Applicants have made a clarifying amendment not affecting the scope of the claimed subject matter to address a potential ambiguity in the claim as previously presented. Claim 1 as previously presented arguably did not unambiguously recite a relationship between the service/products referred to in the first, second, and third claim elements and the how-to-use instructions recited in the fourth element. As a formal matter, Claim 13 as previously presented thus did not expressly recite a relationship between the “services/products” referred to in the first, second, and third elements and the HTU instructions recited in the fourth element. The amendment eliminates this potential ambiguity by reciting an antecedent relationship between the HTU instructions recited in the fourth claim element and services/products referred to in the first, second, and third claim elements. Applicants submit that this amendment was not made for any purpose related to patentability, but merely to clarify a continuity among the services/products referred to in each of the claim elements.

Claim 13 as amended is patentable over the cited reference because Norton does not teach expressly how to use instructions including how to use associated services/products. Norton’s how to use instructions are concerned with how to use Norton’s GUI. Again, Norton’s how to use instructions instruct a user how to use Norton’s interface to order a product such as a sandwich or an airline flight. In contrast, Claim 13 as amended recites how to use instructions that instruct a user how to use or operate services or products offered by Applicant’s interface, thus providing voice message based operating manuals for the products/services offered. Because the cited reference does not teach expressly or inherently all elements of Claim 13 as amended, Applicants respectfully request the Examiner to reconsider and withdraw the anticipation rejection of Claim 13 and dependent Claims 15-17, 19, and 21-22).

Rejections under 35 U.S.C. §103

The Office Action asserted Section 103(a) rejections of Claims 3, 10, and 20 based on Norton in view of Elsey, Claims 9 and 18 based on Norton in view of Beyda, and Claims 11 and 14 based on Norton in view of Macleod.

Applicants submit that the amendments to independent Claims 2 and 13, which are incorporated by dependency into Claims 3, 9-11, 18, and 20, address the Section 103(a) rejections because none of the secondary references cited teaches or discloses HTU instructions directed at the service/product offered by a particular user interface. Elsey, for example, is cited only for its alleged disclosure of prompting the caller's phone number and providing time varying pricing information, Beyda is cited only for its alleged disclosure of listing topics in order of frequency, and Beck is cited only for its alleged disclosure of taking a survey. Neither Elsie, nor Beyda, nor Beck discloses HTU instructions concerned with products/services offered via a graphical interface. Because the cited references do not teach or suggest all elements of any claim rejected under Section 103, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of these dependent claims.

CONCLUSION

Applicants believe this paper contains a reply to each ground of objection and rejection in the Office Action. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2680.

Respectfully submitted,
BAKER BOTT S L.L.P.
Attorney for Applicants



Joseph P. Lally
Reg. No. 38,947

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SEND CORRESPONDENCE TO:
BAKER BOTT S L.L.P.
CUSTOMER ACCOUNT NO. **31625**
512.322.2680
512.322.8383 (fax)